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JAMES BONINI  
CLERK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

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UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. 1:04-CV-689, 1ST OHIO  
WEST DIV CINCINNATI  
V. ) ) Criminal No. 1:02-CR-022  
SAMUEL A ASHLEY JR., )  
Defendant. )  
\_\_\_\_\_  
)

DEFENDANT'S OBJECTION CONCERNING THE RETURN  
OF THE DEFENDANT'S PROPERTY

Now comes the defendant, Samuel Ashley, pro se, who respectfully requests that this Honorable Court order that the government turn over a complete inventory list for all property seized but not forfeited in this case.

The last response from the government said that the agents were in the process of compiling a list of property that they took, the government said that they would furnish the court and the defendant with copies of this inventory list. The government again has mislead this court and the defendant. No such list has ever been produced to either the court or the defendant.

The defendant wants a complete list of every single item that they seized from the defendant's home at 3359 Old State Rd. in Mt. Orab Ohio, including property that was taken from the storage shed on the property, also, a complete list of every single item that was seized at the defendant's place of business at 1400 State St. Cincinnati Ohio. The defendant also requests that the

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Rattlesnake skin covered wallet that the government seized from the defendant upon his arrest in San Diego California on February 7, 2002 also be returned to the defendant. The government has already tried to manipulate this court by claiming that they would give this court a complete inventory list, and that they would only return the property that was legally owned by the defendant. The defendant used an alias for 17 years, everything that he bought would have been under his alias, however, if the government wanted to keep anything they should have asked that it too be forfeited by the defendant.

The Fourth Amendment of the Constitution states:

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath-----

When the framers wrote this, they were telling the government that a person's property cannot just be taken. In this case the government has had four years to inventory and return all of the defendant's property, they could have asked that this property be forfeited, but they did not.

Simply put, the defendant requests that this Honorable Court will order that a complete inventory of all property taken be turned over to the court and to the defendant without delay.

Further, the defendant requests that his property be returned to him at the following address:

Sam Ashley  
C/O Tammy Hodge  
4215 Chambers St.  
Cincinnati OH 45223

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For all of the reasons stated above, the defendant respectfully requests that this Honorable Court order that the government turn over a complete inventory of every single item that was taken at his home, business, and on his person. After the list is reviewed by both the court and the defendant, very specific items will be requested to be returned. The defendant does not think that the government will return everything that they took, from the defendant because to this day the defendant does not know what exactly they took.

**RESPECTFULLY SUBMITTED**

Sam Ashley  
Sam Ashley 40656-061  
Federal Prison Camp  
P.O. Box 6000  
Ashland KY 41105-6000

**CERTIFICATION**

I do hereby certify that a copy of this motion has been sent VIA inmate legal mail at FPC Ashland KY to the Asst. U.S. Attorneys Gary Claytor and James Coombe at Atrium II Suite 400, Cincinnati OH 45202, on this 12th day of January 2006.

Sam Ashley